

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:07CR418
)	
vs.)	ORDER
)	
DILLON M. KRIVOHAVEK,)	
)	
Defendant.)	

This matter is before the court on the oral motion of Dillon M. Krivohlavek (Krivohlavek) to appoint new counsel (Filing No. 58). The court held a hearing on the motion on August 18, 2008. Krivohlavek appeared with his counsel Lawrence G. Whelan. After an in camera discussion with Krivohlavek and Mr. Whelan, the court determined that the attorney-client relationship was ruptured to the point that new counsel should be appointed. The court determined the motion should be granted. Mr. Whelan has the court's permission to withdraw and substitute counsel will be appointed.

Denise E. Frost, P.O. Box 3157, Omaha, NE 68103-0157, (402) 346-8856, is appointed to represent Krivohlavek for the balance of these proceedings pursuant to the Criminal Justice Act. Ms. Frost shall file her appearance in this matter forthwith. The clerk shall provide a copy of this order to Ms. Frost and to the Federal Public Defender.

Mr. Whelan shall forthwith provide Ms. Frost with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Whelan which are material to Krivohlavek's defense.

IT IS SO ORDERED.

DATED this 20th day of August, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge